

**WSGL WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI LLP**

*Intellectual Property Law*  
Patents • Trademarks • Copyrights

Ten Post Office Square  
Boston, Massachusetts 02109  
Tel. 617.542.2290 • Fax. 617.451.0313  
[www.wsglip.com](http://www.wsglip.com)

**FACSIMILE COVER SHEET**

DATE: February 19, 2004

TO: Examiner Thai Phan  
TC Art Unit: 2123

Fax No.: (703) 746 5434

FROM: James F. Thompson

No. of pages transmitted  
(including this page): 12

Our File: SYCMR-031XX

Time:

Your Ref:

Sent by: Rose

Application No. 09/696,860  
Filed Date: October 26, 2000  
Confirmation No.: 2819

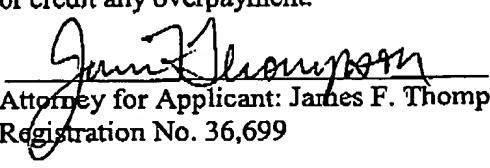
A confirmation copy of this transmission will not be mailed unless the following is checked: [ ]  
MESSAGE

PLEASE DELIVER DIRECTLY TO:  
EXAMINER Thi Phan, Tel. (703) 308 3812  
TC ART UNIT NO: 2123

**FOR ENTRY**

Enclosed for filing please find a: **Resubmission of copy of response to Office Action previously filed on September 5, 2003 including facsimile transmission confirmation**

The Commissioner is hereby authorized to Charge Deposit Account No. 23-0804 for any additional filing fees associated with this communication or credit any overpayment.

  
Attorney for Applicant: James F. Thompson

Registration No. 36,699

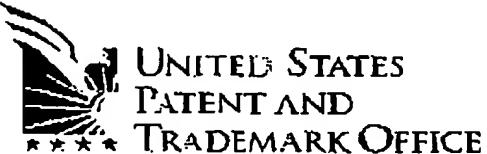
302158-1

THIS MESSAGE MAY CONTAIN CONFIDENTIAL OR PRIVILEGED INFORMATION INTENDED ONLY FOR THE PERSON(S) IDENTIFIED ABOVE. IF IT HAS BEEN RECEIVED AT ANY OTHER PLACE OR HAS NOT BEEN CLEARLY RECEIVED, PLEASE CALL THE ABOVE IDENTIFIED SENDING PARTY COLLECT FOR INSTRUCTIONS. DO NOT SHOW OR DISTRIBUTE THIS MESSAGE TO ANYONE OTHER THAN THE INTENDED RECIPIENT(S). THANK YOU.

9/5/03 3:26 PAGE 1/1 RightFAX

D:Auto-reply fax to 16174510313 COMPANY:

# Auto-Reply Facsimile Transmission **COPY**



TO:

Fax Sender at 16174510313

Fax Information  
Date Received:  
Total Pages:9/5/03 3:09:05 PM [Eastern Daylight Time]  
9 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page  
=====>

<p>09/05/2003 13:09 FAX 16174510313</p> <p>RECEIVED, PATENT AND TRADEMARK OFFICE U.S. PATENT AND TRADEMARK OFFICE 9/5/03 3:09:05 PM EXAMINER: PHAN, Richard E. GROUP ART UNIT: 2123 REGISTRATION NO: 39196 DATE: 10/26/2000</p> <p>RECEIVED, PATENT AND TRADEMARK OFFICE U.S. PATENT AND TRADEMARK OFFICE 9/5/03 3:09:05 PM EXAMINER: PHAN, Richard E. GROUP ART UNIT: 2123 REGISTRATION NO: 39196 DATE: 10/26/2000</p>		0001
<p><u>Facsimile Cover Sheet</u></p> <p>DATE: September 5, 2003</p> <p>TO: Examiner Phan Group Art Unit: 2123</p> <p>FROM: Richard E. Gamache</p> <p>Office File: 5YCMR-03196</p> <p>Your Ref: Appl. No. 09/969,860 Filed: October 26, 2000</p> <p>Time: <input type="checkbox"/> Sent by: Leigha</p> <p>A confirmation copy of this transmission will not be mailed unless the following is checked: <input type="checkbox"/></p> <p><b>MESSAGE</b></p> <p>PLEASE DELIVER DIRECTLY TO: EXAMINER PHAN, Tel. (703) 305-3812 GROUP ART UNIT NO: 2123</p> <p>FOR EXAMINER</p> <p>Enclosed for filing please find an: AMENDMENT</p> <p>The Commissioner is hereby authorized to charge Deposit Account No. 23-0904 for any additional filing fees associated with this communication or credit any overpayment.</p> <p><i>Richard E. Gamache</i> Attorney for Applicant: Richard E. Gamache Registration No. 39,196</p> <p>This message may contain confidential or privileged information intended only for the recipient(s). If it has been received at any other place or has not been clearly received, please call the above identified sending party collect. For instructions, do not show or disclose this message to anyone other than the intended recipient(s). Thank you.</p> <p>Received from 16174510313 at 09:05:05 AM [Eastern Daylight Time]</p>		

02/19/2004 14:14 FAX 16176950892

WSGL

003

09/05/2003 15:08 FAX 16174510313

WSGL

001

\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

TX/RX NO	0137
CONNECTION TEL	17037467239
SUBADDRESS	
CONNECTION ID	
ST. TIME	09/05 15:05
USAGE T	02 '57
PGS. SENT	9
RESULT	OK

COPY

WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI LLP  
TEN POST OFFICE SQUARE  
BOSTON, MASSACHUSETTS 02109

INTELLECTUAL PROPERTY LAW  
PATENTS, TRADEMARKS AND COPYRIGHTS

STANLEY M. SCHURGIN  
CHARLES L. GAGNEBIN III  
VICTOR B. LEBOVICI  
BEVERLY S. HJORTH  
HOLLIDAY C. HEYNE, Ph.D.  
GORDON R. MURKIN  
JAMES F. THOMPSON  
DAVID A. DAGE

TELEPHONE  
(617) 542-2290  
FACSIMILE  
(617) 451-0313

THOMAS P. GRODT  
RICHARD E. GAMACHE  
CHI SUK KIM

OF COUNSEL  
ARTHUR S. MORGENSEN

JOSEPH WEINGARTEN  
(1919-1984)

### FACSIMILE COVER SHEET

DATE: September 5, 2003

TO: Examiner Phan Fax No.: (703) 746-7239  
Group Art Unit: 2123

FROM: Richard E. Gamache No. of pages transmitted  
(including this page) 9

Our File: SYCMR-031XX Time:

Your Ref: Appl. No. 09/969,860 Sent by: Leigha  
Filed: October 26, 2000

A confirmation copy of this transmission will not be mailed unless  
the following is checked: [ ]

### MESSAGE

PLEASE DELIVER DIRECTLY TO:  
EXAMINER PHAN, Tel. (703) 305-3812  
GROUP ART UNIT NO: 2123

### FOR ENTRY

Enclosed for filing please find an: AMENDMENT

WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI  
TEN POST OFFICE SQUARE  
BOSTON, MASSACHUSETTS 02109

INTELLECTUAL PROPERTY LAW  
PATENTS, TRADEMARKS AND COPYRIGHTS

TELEPHONE  
(617) 542-2290  
FACSIMILE  
(617) 451-0313

STANLEY M. SCHURGIN  
CHARLES L. GAGNEBIN III  
VICTOR B. LEBOVICI  
BEVERLY E. BJORTH  
HOLLIDAY C. HEINE, Ph.D.  
GORDON R. MORIARTY  
JAMES F. THOMPSON  
DAVID A. DAGG

THOMAS P. GRODT  
RICHARD E. GAMACHE  
CHI SUK KIM

OF COUNSEL  
ARTHUR S. MORGENSEN

JOSEPH WEINGARTEN  
(1919-1984)

FACSIMILE COVER SHEET

**COPY**

DATE: September 5, 2003

TO: Examiner Phan  
Group Art Unit: 2123

Fax No.: (703) 746-7239

FROM: Richard E. Gamache

No. of pages transmitted  
(including this page) 9

Our File: SYCMR-031XX

Time:

Your Ref: Appl. No. 09/969,860  
Filed: October 26, 2000

Sent by: Leigha

A confirmation copy of this transmission will not be mailed unless  
the following is checked: [ ]

MESSAGE

PLEASE DELIVER DIRECTLY TO:  
EXAMINER PHAN, Tel. (703) 305-3812  
GROUP ART UNIT NO: 2123

FOR ENTRY

Enclosed for filing please find an: AMENDMENT

The Commissioner is hereby authorized to Charge Deposit  
Account No. 23-0804 for any additional filing fees associated  
with this communication or credit any overpayment.

*Richard E. Gamache*  
\_\_\_\_\_  
Attorney for Applicant: Richard E. Gamache  
Registration No. 39,196

THIS MESSAGE MAY CONTAIN CONFIDENTIAL OR PRIVILEGED INFORMATION INTENDED ONLY FOR THE PERSON(S) IDENTIFIED ABOVE. IF IT HAS BEEN RECEIVED AT ANY OTHER PLACE OR HAS NOT BEEN CLEARLY RECEIVED, PLEASE CALL THE ABOVE IDENTIFIED SENDING PARTY COLLECT FOR INSTRUCTIONS. DO NOT SHOW OR DISTRIBUTE THIS MESSAGE TO ANYONE OTHER THAN THE INTENDED RECIPIENT(S). THANK YOU.

Application No.: 09/969,860  
 Filed: October 26, 2000  
 Group Art Unit: 2123

Rev 05/03

WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP  
 Ten Post Office Square  
 Boston, Massachusetts 02109  
 Telephone: (617) 542-2290  
 Telex: (617) 451-0313

Date: September 5, 2003

COPY

Via Facsimile  
**COMMISSIONER FOR PATENTS**  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Attorney  
 Docket No.: SYCMR-031XX

Sir:

In re application of: Chikong Shue et al.

Entitled: NETWORK EMULATOR

Transmitted herewith is an amendment in the above-identified application. The following checked items are applicable:

- This is a Request for Continued Examination under §1.114; authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$\_\_\_\_\_) per §1.17(e).  
 Enter the unentered amendment previously filed on \_\_\_\_\_ per §1.116.
- A Petition for Extension of Time for \_\_\_\_ month is hereby made under §1.136(a); authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$\_\_\_\_\_) per §1.17.
- In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.
- Richard E. Gamache is hereby appointed Associate Attorney by:  
 Registration No.: 39,196

*James F. Thompson*  
 Attorney of Record: James F. Thompson  
 Registration No.: 36,699

 Other:

CLAIMS AFTER AMENDMENT:	MINUS PRIOR PAID CLAIMS:	EQUALS PRESENT EXTRA CLAIMS:	RATE:	ADDITIONAL FEE:
Independent	2 - 3	= 0	x \$84.00 =	0
Total	21 - 21	= 0	x \$18.00 =	0
<input type="checkbox"/> Multiple Dependent Claims (1st presentation)			+ \$280.00 =	0
			SUBTOTAL ADDITIONAL FEE	0
Small Entity filing, divide by 2. Small Entity status must be asserted.				0
			GENERAL ADDITIONAL FEE	0

No additional fee.  The fee has been calculated above; authorization is provided herewith to charge Deposit Account No. 23-0804 (\$\_\_\_\_\_) for the cost of same.

The Commissioner is hereby authorized to charge payment of any additional filing fees under §1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

I hereby certify that this correspondence is being sent via facsimile to Examiner Phan, Group Art Unit 2123, Fax No. (703) 746-7239, on 9/5/03.

SUBMIT IN TRIPPLICATE  
 295568

*Richard E. Gamache*  
 Attorney of Record: Richard E. Gamache  
 Registration No.: 39,196

PATENT

Rev 05/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Chikong Shue et al.  
Application No. : 09/696,860  
Filed : October 26, 2000  
For : NETWORK EMULATOR  
Examiner : Thai Q. Phan  
Attorney's Docket : SYCMR-031XX

**COPY**

Group Art Unit: 2123

I hereby certify that this correspondence is being sent via facsimile to Examiner Thai Q. Phan, Group Art Unit 2123, Fax No. (703)746-7239, on

9/5/03

By

Richard E. Gamache  
Richard E. Gamache  
Registration No. 39,196  
Attorney for Applicants

**RESPONSE TO OFFICE ACTION**

Via Facsimile  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The instant remarks are filed in response to the Office Action dated June 18, 2003, in the above-referenced patent application.

WEINGARTEN, SCHURGIN,  
CAGNEBIN & LEBOVICI LLP  
TEL. (617) 542-2290  
FAX. (617) 451-0313